



09 931701

1633

Attorney Docket No.: 10065.200-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Outtrup et al.

Confirmation No: 3473

**RECEIVED**

Serial No.: ~~09/043,701~~

Group Art Unit: 1633

JUN 09 2004

Filed: August 16, 2001

Examiner: To be assigned

**OFFICE OF PETITIONS**

For: Subtilase Enzymes

SECOND REQUEST FOR WITHDRAWAL OF ABANDONMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

JUN 17 2004

Sir:

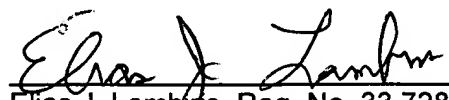
TECH CENTER 1600/2900

A Notice of Abandonment dated December 4, 2003 was recently received on the above-identified application. The reason stated for abandonment was the alleged failure of Applicants to respond to the Notice to File Missing Parts mailed October 23, 2001. Applicants request that the Notice of Abandonment be withdrawn since a response to the Notice to File Missing Parts was in fact filed in a timely manner on December 18, 2001, and this response was received by the PTO. To support Applicants' position, Applicants enclose a copy of the Response to Notice to File Missing Parts (in duplicate) a copy of Notice to File Missing Parts, a copy of Executed Combined Declaration and Power of Attorney, a certificate of mailing and the date-stamped postcard indicating receipt of all these documents in the PTO mailroom. A First Request for Withdrawal of Abandonment was filed on December 9, 2003. Enclosed is a copy thereof and the date-stamped postcard indicating receipt of all these documents in the PTO mailroom.

Since the postcard plainly shows that the error lies with the PTO, Applicants respectfully request the withdrawal of the abandonment by the PTO without requiring Applicants to file a Petition to Revive.

Respectfully submitted,

Date: May 21, 2004

  
Elias J. Lambiris, Reg. No. 33,728  
Novozymes North America, Inc.  
500 Fifth Avenue, Suite 1600  
New York, NY 10110  
(212) 840-0097

**BEST AVAILABLE COPY**



Attorney Docket No.: 10065.200-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Outtrup et al.

Confirmation No: 3473

**RECEIVED**

Serial No.: 09/943,701 09931701 Group Art Unit: 1633

JUN 09 2004

Filed: August 16, 2001

Examiner: To be assigned

**OFFICE OF PETITIONS**

For: Subtilase Enzymes

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

JUN 17 2004

Sir:

I hereby certify that the attached correspondence comprising:

TECH CENTER 1600/2900

1. Second Request for Withdrawal of Abandonment
2. Notice of Abandonment under 37 CFR 1.53 (f) OR (g)
3. Copy of previously filed Request for Withdrawal of Abandonment, a copy of previously filed Response to Notice to File Missing Parts (in dupl.) a copy of Notice to File Missing Parts, a copy of Executed Combined Declaration and Power of Attorney, a copy of Certified Mailing
4. Copy of return postcard date-stamped January 9, 2002 by the USPTO Mailroom
5. Copy of return postcard date-stamped December 12, 2003, by the USPTO Mailroom

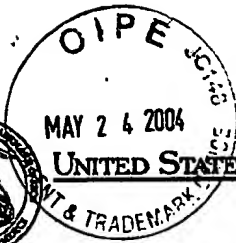
is being deposited with the United States Postal Service as first class mail in an envelope addressed to the address indicated above on May 21, 2004.

Mira S. Hansen

(name of person mailing paper)

Mira S. Hansen

(signature of person mailing paper)

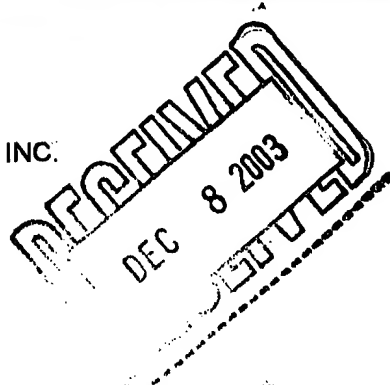


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/931,701	08/16/2001	Helle Outtrup	10065.200-US

25908  
NOVOZYMES NORTH AMERICA, INC.  
500 FIFTH AVENUE  
SUITE 1600  
NEW YORK, NY 10110



CONFIRMATION NO. 3473

ABANDONMENT/TERMINATION  
LETTER

\*OC000000011422834\*

Date Mailed: 12/04/2003

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 10/23/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

RECEIVED

JUN 17 2004

TECH CENTER 1600/2900



Attorney Docket No.: 10065.200-US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Outtrup et al.

Confirmation No: 3473

Serial No.: 09/913,701 09931701

Group Art Unit: 1633

Filed: August 16, 2001

Examiner: To be assigned

For: Subtilase Enzymes

**REQUEST FOR WITHDRAWAL OF ABANDONMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Sir:

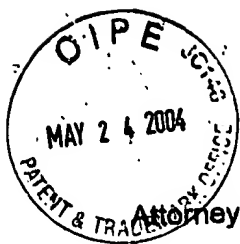
A Notice of Abandonment dated December 4, 2003 was recently received on the above-identified application. The reason stated for abandonment was the alleged failure of Applicants to respond to the Notice to File Missing Parts mailed October 23, 2001. Applicants request that the Notice of Abandonment be withdrawn since a response to the Notice to File Missing Parts was in fact filed in a timely manner on December 18, 2001, and this response was received by the PTO. To support Applicants' position, Applicants enclose a copy of the Response to Notice to File Missing Parts (in duplicate) a copy of Notice to File Missing Parts, a copy of Executed Combined Declaration and Power of Attorney, a certificate of mailing and the date-stamped postcard indicating receipt of all these documents in the PTO mailroom.

Since the postcard plainly shows that the error lies with the PTO, Applicants respectfully request the withdrawal of the abandonment by the PTO without requiring Applicants to file a Petition to Revive.

Respectfully submitted,

Date: December 9, 2003

  
\_\_\_\_\_  
Elias J. Lambiris, Reg. No. 33,728  
Novozymes North America, Inc.  
500 Fifth Avenue, Suite 1600  
New York, NY 10110  
(212) 840-0097



PATENT

Attorney Docket No.: 10065.200-US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Outtrup et al.

Confirmation No: 3473

Serial No.: 09/943,701 09931 701 Group Art Unit: 1633

Filed: August 16, 2001

Examiner: To be assigned

For: Subtilase Enzymes

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

Commissioner for Patents  
Washington, DC 20231

Sir:

I hereby certify that the attached correspondence comprising:


1. Response to Notice to File Missing Parts (in duplicate)
2. Copy of Notice to File Missing Parts
3. Executed Combined Declaration and Power of Attorney
4. Certified copy of Priority Application
5. Disk Containing Sequence Listing

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents  
Washington, DC 20231

on December 18, 2001.

Kelley O'Patry  
(name of person mailing paper)

  
(signature of person mailing paper)



09931201

Attorney Docket No.: 10065.200-US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Outtrup et al.

Confirmation No: 3473

Serial No.: ~~09/913,701~~

Group Art Unit: 1633

Filed: August 16, 2001

Examiner: To be assigned

For: Subtilase Enzymes

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Box Sequence  
Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts dated October 23, 2001, Applicants enclose herewith the Combined Declaration and Power of Attorney signed and dated by Applicants for the above-captioned application and a certified copy of Danish application no. PA 2000 01232 filed August 21, 2000, priority of which is claimed under 35 U.S.C. 119.


The Notice also stated that the computer readable form of the Sequence Listing submitted on August 16, 2001 was damaged. Applicants therefore enclose another CRF. The content of the paper copy submitted on August 16, 2001 and of the enclosed computer readable form is the same. This submission contains no new matter.

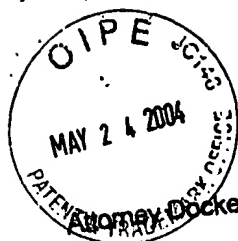
The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Please charge the required fee, estimated to be \$130.00, to Novozymes North America, Inc., Deposit Account No. 50-1701. Please credit any overpayment to Deposit Account No. 50-1701. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date: December 18, 2001

  
Elias J. Lambiris, Reg. No. 33,728  
Novozymes North America, Inc.  
405 Lexington Avenue, Suite 6400  
New York, NY 10174-6401  
(212) 867-0123



PATENT

Docket No.: 10085.200-US

**COMBINED DECLARATION FOR UTILITY PATENT APPLICATION  
AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Subtilase Enzymes

(Title of the invention)

the specification of which was filed on August 16, 2001 as United States Application Number To be assigned and was amended on (MM/DD/YYYY) \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international applications(s) for patent or inventor's certificate or of any PCT international applications(s) which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate, or any PCT international application(s) having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Claimed
PA 2000 01232	Denmark	August 21, 2000	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date
80/235,459	September 28, 2000

Direct all correspondence to Customer Number 25908:

PATENT TRADEMARK OFFICE



25908

I hereby appoint the practitioners at the above mentioned customer number as my/our attorney(s) or agent (s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

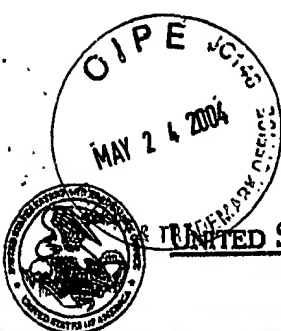
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR	
Given Name (first and middle [if any])	Helle
Family Name or Surname	Outtrup
Inventor's Signature	<i>Helle Outtrup</i>
Date	12/9-2001
Residence: City, State, Country	DK-3500 Værløse, Denmark
Citizenship	Danish
Mailing Address	Skovhaven 89
City, State, Zip, Country	DK-3500 Værløse, Denmark

NAME OF SECOND INVENTOR	
Given Name (first and middle [if any])	Poul Erik
Family Name or Surname	Pedersen
Inventor's Signature	<i>Poul Erik Pedersen</i>
Date	12/09/2001
Residence: City, State, Country	DK-2860 Søborg, Denmark
Citizenship	Danish
Mailing Address	Marienburg Alle 33
City, State, Zip, Country	DK-2860 Søborg, Denmark

NAME OF THIRD INVENTOR	
Given Name (first and middle [if any])	Marianne Vind
Family Name or Surname	Sørensen
Inventor's Signature	<i>Marianne Vind</i>
Date	12/09/2001
Residence: City, State, Country	DK-4000 Roskilde, Denmark
Citizenship	Danish
Mailing Address	Gulddyssevænget 9 Gundsømagle
City, State, Zip, Country	DK-4000 Roskilde, Denmark





## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/931,701	08/16/2001	Helle Outtrup	10065.200-US

CONFIRMATION NO. 3473

25908  
NOVOZYMES NORTH AMERICA, INC.  
C/O NOVO NORDISK OF NORTH AMERICA, INC.  
405 LEXINGTON AVENUE, SUITE 6400  
NEW YORK, NY 10174

## FORMALITIES LETTER



\*OC000000006957254\*

Date Mailed: 10/23/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)



Attorney Docket No. 10065.200-US  
Patent Application entitled: "Subtilase Enzymes"  
Applicants: Outtrup et al.  
USSN: To be assigned

The USPTO hereby acknowledges receipt of the following:

1. Certificate of Mailing
2. Response to Notice to File Missing Parts (in duplicate)
3. Copy of Notice to File Missing Parts & Notice to Comply with Sequence Listing
4. Executed Combined Declaration and Power of Attorney
5. Certified copy of Priority Application
- ~~6. Response to Notice to Comply with Sequence Listing~~
- ~~7. Sequence Listing~~
8. Disk Containing Sequence Listing

ELam/KOPa  
December 18, 2001

VIA First Class Mail

Attorney Docket No. 10065.200-US  
Patent Application entitled: "Subtilase Enzymes"  
Applicants: Outtrup et al.  
USSN: To be assigned

The USPTO hereby acknowledges receipt of the following:

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8. Disk Containing Sequence Listing

ELam/KOPa  
December 18, 2001  
VIA First Class Mail



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JUN 17 2004

TECH CENTER 1600/2900



Attorney Docket No. 10065.200-US  
Patent Application entitled: "Subtilase Enzymes"  
Applicants: Outtrup et al.



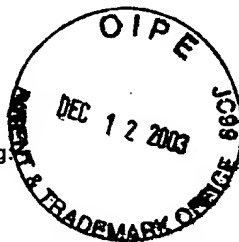
The USPTO hereby acknowledges receipt of the following:

1. Certificate of Mailing
2. Request for Withdrawal of Abandonment
3. copy of previously filed Response to Notice to File Missing Parts (in duplicate), a copy of Notice to File Missing Parts, a copy of Executed Combined Declaration and Power of Attorney, a copy of Certified Copy of Priority Application, a Certificate of Mailing..
4. copy of return postcard date-stamped by the USPTO Mailroom

*Notice of Abandonment under 37 CFR 1.53(F) or (g)*  
December 9, 2003

VIA First Class Mail

Attorney Docket No. 10065.200-US  
Patent Application entitled: "Subtilase Enzymes"  
Applicants: Outtrup et al.



The USPTO hereby acknowledges receipt of the following:

1. Certificate of Mailing
2. Request for Withdrawal of Abandonment
3. copy of previously filed Response to Notice to File Missing Parts (in duplicate), a copy of Notice to File Missing Parts, a copy of Executed Combined Declaration and Power of Attorney, a copy of Certified Copy of Priority Application, a Certificate of Mailing..
4. copy of return postcard date-stamped by the USPTO Mailroom

*Notice of Abandonment under 37 CFR 1.53(F) or (g)*  
December 9, 2003

VIA First Class Mail

RECEIVED

JUN 17 2004

TECH CENTER 1600/2900

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